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March 29, 2004

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*ADMITTED TO D.C. BAR; D.C. PRACTICE OF
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 AND AGENCIES

Commissioner of Patents
 U.S. Patent and Trademark Office
 2011 South Clark Place
 Customer Window, MS Reissue
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, VA 22202

Re: Reissue Patent Application
 (Reissue of U.S. 09/571,751, now U.S. 6,479,551)
 Appl. No.: to be assigned
 Filed: herewith
 For: **Treatment of Migraine Headache**
 Inventor(s): Plachetka, *et al.*
 Atty. Dkt.: 7569/80993

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. PTO SB/56 - Reissue Application Fee Transmittal Form (in duplicate);
2. A copy of U.S. 6,479,551, issued November 12, 2002;
3. Five sheets of Formal Drawings corresponding to those in the issued '551 patent, labeled as Fig. 1 - Fig.6;
4. Terminal Disclaimer filed in application no. 09/517,751;

17513 U.S.PTO
 10/811793



Commissioner of Patents

March 29, 2004

Page 2

5. Reissue Declaration;
6. Power of Attorney from Assignee and Revocation of Prior Powers;
7. Consent of Assignee to Reissue;
8. Statement Under 37 C.F.R. § 3.73(b);
9. Declaration of Michael A. Sanzo;
10. Preliminary Amendment;
11. General Authorization for Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(3);
12. General Authorization to Charge Deposit Account; and
13. Two (2) return postcards.

This application is a reissue of application no. 09/517,751, which was filed on March 3, 2000 and which issued as U.S. Patent 6,479,551 on November 12, 2002. The '751 application was a continuation-in-part of application no. 08/966,506, filed on November 10, 1997 (now U.S. Patent 6,077,539), which was a continuation-in-part of application no. 08/748,332, filed on November 12, 1996, now abandoned. Priority is claimed to all of these previous applications.

Correspondence in this case should be directed to:

**Michael A. Sanzo
Fitch, Even, Tabin & Flannery
1801 K Street, N.W., Suite 401L
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Phone: (202) 419-7013
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Commissioner of Patents
March 29, 2004
Page 3

It is respectfully requested that the enclosed postpaid postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that they be returned as soon as possible.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY



Michael A. Sanzo
Attorney for Applicant
Registration No. 36,912

MAS:ct
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional)
7569/80993

Claims as Filed – Part 1

	(1) Claims in Patent	(2) Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity	
				Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	(A) 49	(B) 49	**** 0 =	x \$ _____ =		or	x \$ _____ = 0
Independent claims (37 CFR 1.16(i))	(C) 9	(D) 9	* 0 =	x \$ _____ =			x \$ _____ = 0
			Basic Fee (37 CFR 1.16(h))		\$ _____		\$ 770
			Total Filing Fee		\$ _____	OR	\$ 770.00

Claims as Amended – Part 2

	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 39	MINUS	** 49	* = 0	x \$ _____ =		or	x \$ 18 = 0
Independent Claims (37 CFR 1.16(i))	*** 6	MINUS	***** 9	= 0	x \$ _____ =			x \$ 86 = 0
			Total Additional Fee		\$ _____	OR		\$ 0.00

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims.

**** If "A" is greater than 20, use (B – A); if "A" is 20 or less, use (B – 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

 Applicant claims small entity status. See 37 CFR 1.27. Please charge Deposit Account Number 06-1135 in the amount of \$ 770.00.
A duplicate copy of this sheet is enclosed. under Order No. 7569/80993. The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or
credit any overpayment to Deposit Account Number 06-1135 under Order No. 7569/80993.
A duplicate copy of this sheet is enclosed. A check in the amount of \$ _____ to cover the filing/additional fee is enclosed. Payment by credit card. Form PTO-2038 is attached.WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.March 26, 2004

Date

36,912

Registration Number, if applicable

Michael A. Sanzo

Signature of Applicant, Attorney or Agent of Record

Michael A. Sanzo

Typed or printed name

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue patent application of:

Plachetka, *et al.*

Appl. No.: To be assigned
(For reissue of Patent No.: 6,479,551)

Filed: Herewith

For: **Treatment of Migraine Headache**

Art Unit: To be assigned
(Formerly 1616)

Examiner: To be assigned
(Formerly F. Choi)

Atty. Dkt.: 7569/80993

General Authorization to Charge Deposit Account

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, MS Reissue
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7569/80993.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By *Michael A. Sanzo*
Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicants

Date March 26, 2004
1801 K Street, N.W., Suite 401L
Washington, DC 20006-1201
Phone: (202) 419-7013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue patent application of:

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(For reissue of Patent No.: 6,479,551)

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For: **Treatment of Migraine Headache**

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(Formerly 1616)

Examiner: To be assigned
(Formerly F. Choi)

Atty. Dkt.: 7569/80993

**General Authorization for Petition for
Extension of Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **MS Reissue**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicants hereby request under 37 C.F.R. § 1.136 by this general authorization that any concurrent or future reply submitted by Applicants to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under § 1.136 for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicants do not timely pay for any extension fee(s) pursuant to 37 C.F.R. § 1.136 which may become due for this application under 37 C.F.R. § 1.17 by check, the Director is hereby authorized to charge such fee(s), and any additional fees which may be required in this

Plachetka, *et al.*
Atty. Dkt. 7569/80993

application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7569/80993.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By Michael A. Sanzo
Michael A. Sanzo
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Date March 26, 2004
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